

Applicant: Dan Aharoni, *et al.*
U.S.S.N.: 10/786,965
Filing Date: February 25, 2004
EMC Docket No.: EMC-02-132CIP1

REMARKS

The Final Office Action mailed December 6, 2007 has been carefully considered.

Although it is recognized that Applicant has amended the claims to more particularly highlight patentable subject matter of the invention, Applicant's will still discuss each of the rejections put forth by the Examiner. Claims 1-14 have been amended. Claims 15-21 have been cancelled.

Rejections under 35 U.S.C. §112, second paragraph

The Examiner has rejected claims 1-21 under 35 U.S.C. §112, second paragraph for indefiniteness. Applicant has endeavored to remedy the indefinite issues with the claims, by way of this amendment. Accordingly, it is requested that the rejection be withdrawn.

Rejections under 35 U.S.C. §102

Claims 1-21 were rejected under 35 U.S.C. §102(b) as anticipated by Hoffecker (U.S. Patent 5,325,505).

Hoffecker

Hoffecker describes, in the Abstract, an intelligent storage manager that includes a number of data bases that are used by an expert system to manage the computer system devices. In particular, Hoffecker appears directed at load balancing of data sets to improve performance. For example, Hoffecker describes, at column 2 lines 35-45:

This apparatus makes use of a knowledge based (expert) system to monitor in real time the performance of the computer system data storage devices, identify memory

Applicant: Dan Aharoni, *et al.*
U.S.S.N.: 10/786,965
Filing Date: February 25, 2004
EMC Docket No.: EMC-02-132CIP1

performance conflicts and resolve these conflicts by directing the relocation of data sets, or user workloads, to other segments of the computer system memory, and/or reconfiguring the computer system memory.

In contrast, the present invention is directed at a method and system that enables a user to construct a target data storage system. For example, claim 1, as amended, now recites the steps of “... displaying a user interface to the user, *the user interface including a selector to enable the user to select a data storage component for inclusion in the target data storage system; merging the data storage component into the target data storage system, including obtaining configuration characteristics and workload characteristics for the data storage component; simulating performance of the target data storage system using one or more workloads to obtain utilization and performance information for each data storage system component and for the target data storage system; and graphically representing the utilization or performance of each of data storage components in the target data storage system on the user interface to enable the user to visually determine whether the target data storage system meets a desired performance...*” Although Hofflecker may describe (for example, at column 24), that data sets may be moved between devices where conflicts exist, it neither shows nor suggests a target data structure build tool such as that of the claims, which allows the user to quickly determine the success of a proposed new configuration or consolidation using a graphic user interface that graphically represents the utilization and performance of each of the data storage devices.

Independent claim 8 has been amended in a manner similar to claim 1. Accordingly, for at least the reason that Hofflecker neither describes nor suggests the limitations of the amended claims, it is requested that the rejection be withdrawn.

Applicant: Dan Aharoni, *et al.*
U.S.S.N.: 10/786,965
Filing Date: February 25, 2004
EMC Docket No.: EMC-02-132CIP1

Conclusion:

In view of the foregoing, the applicants' believe that the application is in condition for allowance and respectfully request favorable reconsideration.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at 508-293-6275.

Please charge all fees occasioned by this submission to Deposit Account No. 05-0889.

Respectfully submitted,

Dated: February 12, 2008 /Lindsay G. McGuinness/
Lindsay G. McGuinness, Esq. (Reg. No. 38,549)
Attorney for Applicants
EMC Corporation
176 South Street
Hopkinton MA
Telephone: 508-293-6275